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E.O. 12958: DECL: 07/17/2016  
TAGS: PREL PGOV SNAR CO  
SUBJECT: COLOMBIA: WHA PDAS SHAPIRO MEETS WITH FISCAL  
IGUARAN

Classified By: Charge Milton K. Drucker, Reasons 1.4 (b&d)

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Summary  
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¶1. (SBU) On July 10, WHA PDAS Charles Shapiro discussed human rights and the Justice and Peace Law with Colombian Prosecutor General (Fiscal) Mario Iguaran. Shapiro was accompanied by Emboffs Colleen Hoey, Paul Vaky, and notetaker Sara Mercado. Shapiro emphasized the U.S. strong interest in promoting human rights and highlighted the importance of the human rights certification process. Iguaran said the Fiscalia was committed to protecting human rights and would play a key role in implementing the Justice and Peace Law.  
End Summary.

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Fiscalia Justice and Peace Unit Almost Ready  
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¶2. (SBU) Iguaran said the Prosecutor General's Justice and Peace (J&P) Unit was almost ready to begin its work. J&P Unit Coordinator, Luis Gonzalez Leon, told Shapiro the J&P Unit had 118 investigators of the 150 required under the Law 1975. He had 12 of the 20 prosecutors required for full staffing. Iguaran said all those hired were experienced investigators and prosecutors already working in other units within the Fiscalia. Iguaran noted that Gonzalez was selected for the Coordinator position because he had excellent relationships with prosecutors, strong administrative skills, and deep knowledge of Law 975.

¶3. (C) Gonzalez said his office planned to further exploit the information obtained in the demobilized paramilitaries debriefings ("version libres"). Many AUC members were unexpectedly forthcoming and the GOC was now working to cross-reference the information provided with relevant law enforcement data. Iguaran attributed the paramilitaries' frankness to the fact they are confined, while their leaders, on the other hand, are able to take advantage of the J&P law.

In one case, a man confessed to killing 14 people. Investigators were successful in contacting the police to match up that information with open investigations. In another case, 12 bodies were uncovered in a mass grave, and investigators were able to get the names of all the dead. Maria Fernanda Cabal, the Fiscalia's Director of the Office of International Affairs, noted the security risks and high cost of investigations and uncovering mass graves from AUC massacres. She said members of the U.S. Congress and NGOs should come to Colombia to see this process at work in order

to understand the serious and effective manner with which the GOC is approaching this endeavor, even with limited resources. She noted the GOC is seeking international support for investigations and prosecutions from Japan and Canada.

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Defending Law 975  
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¶4. (C) Iguaran said the GOC needs U.S. help to defend the peace process against critics. Shapiro noted the Justice and Peace Law was problematic in Washington, as some in the Congress and the NGO community were critical. Shapiro asked when the Fiscalia plans to start prosecutions, and underscored the importance of effective implementation of the law to the U.S. ability to defend the peace process. Iguaran responded that the Fiscalia was in a holding pattern because it had not yet received the list of those eligible for Law 975 benefits.

¶5. (SBU) Gonzalez said the NGO community had begun to participate in the Justice and Peace Law process by providing the GOC with information from their databases about alleged extrajudicial killings and other human rights violations. Iguaran observed that NGOs and victims have recently been less critical of the law.

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Human Rights  
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¶6. (C) Shapiro said NGOs consistently raise concerns about threats and other challenges to being an aid worker, journalist, prosecutor, or labor leader in Colombia, and asked what the GOC is doing to respond to these concerns. Iguaran assured Shapiro the Fiscalia takes all reports of threats against individuals and organizations seriously, and responds quickly. He said the GOC provides armored cars, bodyguards, and other security measures to protect individuals. However, Iguaran noted it can sometimes be a challenge to distinguish between legitimate threats and those fabricated to qualify for benefits.

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New Role in Military Penal Justice  
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¶7. (SBU) Iguaran commented on the new role the Fiscalia will have in investigations of allegations of human rights cases against members of the military, saying it would be a challenge for the uniformed military to put their trust in any external entity for investigations against their own. However, the human rights unit is prepared to handle these new responsibilities, and it will work with the Armed Forces to ensure cooperation. Iguaran said significant progress been made in the Jamundi case, and emphasized that this success will be a model for future investigations.

¶8. (U) This cable has been cleared by WHA PDAS Shapiro.  
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